

1 Ryan Lee (SBN: 024846)  
2 Krohn & Moss, Ltd.  
3 10474 Santa Monica Blvd., Suite 401  
Los Angeles, CA 90025  
Tel: 323-988-2400 x241  
Fax: 866-583-3695  
4 rlee@consumerlawcenter.com  
Attorneys for Plaintiff,  
5 Jodi Lynn

6  
7  
8  
**UNITED STATES DISTRICT COURT**  
**DISTRICT OF ARIZONA**  
**PHOENIX DIVISION**

9 Jodi Lynn, ) **Case No.:**  
10 Plaintiff, )  
11 v. ) **COMPLAINT**  
12 Omni Credit Services, Inc., )  
13 Defendant. )  
14 \_\_\_\_\_)

15 **PLAINTIFF'S COMPLAINT**

16 Plaintiff, Jodi Lynn (Plaintiff), through her attorneys, Krohn & Moss, Ltd., alleges the  
17 following against Defendant, Omni Credit Services, Inc. (Defendant):

18 **INTRODUCTION**

19 1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15*  
20 *U.S.C. 1692 et seq.* (FDCPA).

21 **JURISDICTION AND VENUE**

22 2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such  
23 actions may be brought and heard before "any appropriate United States district court  
24 without regard to the amount in controversy."

25 //

3. Defendant conducts business in the State of Arizona, and therefore, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

## PARTIES

5. Plaintiff is a natural person residing in Mesa, Maricopa County, Arizona.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
8. Defendant is a collection agency with a business office in Brookfield, Wisconsin.
9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

## **FACTUAL ALLEGATIONS**

10. In or around July of 2012, Defendant placed at least one collection call to Plaintiff seeking and demanding payment for an alleged consumer debt.
11. Plaintiff's alleged debt owed arises from transactions for personal, family, and household purposes.
12. In or around July 2012, Defendant called Plaintiff and left a voicemail message on Plaintiff's answering machine. *See Exhibit A.*
13. In the voicemail message, Defendant's representative, "Andrew" failed to meaningfully disclose the company's name. *See Exhibit A.*
14. In the voicemail message, Defendant's representative, "Andrew", directed Plaintiff to call him back at 1-800-670-9944, extension 272, which is a number that belongs to Defendant. *See Exhibit A.*

15. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

## COUNT I

## **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

16. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity because Defendant did not provide the identity of the caller or the nature of the debt.

WHEREFORE, Plaintiff, Jodi Lynn, respectfully requests judgment be entered against Defendant, Omni Credit Services, Inc. for the following:

17. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15  
*U.S.C. 1692k*

18. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,  
*15 U.S.C. 1692k*

19. Any other relief that this Honorable Court deems appropriate

RESPECTFULLY SUBMITTED,

DATED: October 17, 2012

KROHN & MOSS, LTD.

By: /s/ Ryan Lee

Ryan Lee  
Attorney for Plaintiff

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

2 STATE OF ARIZONA)

3 Plaintiff, JODI LYNN, says as follows:

- 4 1. I am the Plaintiff in this civil proceeding.
- 5 2. I have read the above-entitled civil Complaint prepared by my attorneys and I  
believe that all of the facts contained in it are true, to the best of my  
knowledge, information and belief formed after reasonable inquiry.
- 6 3. I believe that this civil Complaint is well grounded in fact and warranted by  
existing law or by a good faith argument for the extension, modification or  
reversal of existing law.
- 7 4. I believe that this civil Complaint is not interposed for any improper purpose,  
such as to harass any Defendant(s), cause unnecessary delay to any  
Defendant(s), or create a needless increase in the cost of litigation to any  
Defendant(s), named in the Complaint.
- 8 5. I have filed this Complaint in good faith and solely for the purposes set forth in  
it.
- 9 6. Each and every exhibit I have provided to my attorneys which has been  
attached to this Complaint is a true and correct copy of the original.
- 10 7. Except for clearly indicated redactions made by my attorneys where  
appropriate, I have not altered, changed, modified or fabricated these exhibits,  
except that some of the attached exhibits may contain some of my own  
handwritten notations.

15 Pursuant to 28 U.S.C. § 1746(2), I, JODI LYNN, hereby declare (or certify,  
16 verify or state) under penalty of perjury that the foregoing is true and correct.

18 Dated: 8-8-2012  
19 JODI LYNN,  
Plaintiff